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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE-OPELOUSAS DIVISION

IN RE: BAYOU SORREL CLASS ACTION

NO: 6:04CV1101

JUDGE: HAIK

MAGISTRATE JUDGE: HILL

## REPORT AND RECOMMENDATION OF THE SPECIAL MASTER

The Special Master, through the Court Appointed Disbursing Agent, has gathered from members of the PSC their submissions on time and expenses. In requesting that information, the Special Master offered to meet collectively and/or individually with members of the PSC to review their submissions and the funds available. No request for meetings was made and, therefore, the Special Master proceeded to analyze the submissions and various computations made by CADA on the basis of submitted data and the funds available.

As a result of the analysis, the following documents were generated:

- a) Analysis of Reserves;
- b) Common Benefit Cost and Fee Reserves;
- c) Summary of Class Specific Out of Pocket Costs;
- d) Summary of Time, Pre-Settlement;
- e) Summary of Calculated Private Fees;
- f) Summary of Calculated Committee Fee.

The analysis assumes the Court would approve a 50/50 division between Committee and Private fees. With that assumption and considering the funds available for fees as reflected in the "Common Benefit Cost and Fee Reserves," rates and a lodestar factor as indicated were added to arrive at recommended amounts for Committee Fees (Summary of Calculated Committee Fees). The recommendation on Private Fees is reflected in the "Summary of Calculated Private Attorney Fees."

With regard to out-of-pocket costs, the recommendation is reflected in the "Summary of Class Specific Out-of-Pocket Costs." These payments are recommended after applying to all submitted expenses a standard rate for such items as copies, faxes and mileage.

With regard to staff costs, the recommendation is reflected in the "Summary of Time, Pre-Settlement." The Court will note that specific rates were assigned to the various categories of staff. These rates were to large measure dictated by the available funds.

It is recommended that the Court issue orders to make available funds for the implementation and payment of these recommendations and further that the exhibits attached hereto be placed under seal.

Patrick A. Juneau Special Master

P. O. Drawer 51268

Lafayette, LA 70505-1268

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing report has been faxed to Liaison

Counsel.

Lafayette, Louisiana, this day of October, 2006.

atrick A. Junea